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Jun 08, 2020

s/ Jeremy Heacox

Deputy Clerk, U.S. District Court  
Eastern District of Wisconsin

## UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin

United States of America  
v.  
Jeremiah Belen (DOB XX/XX/1981)

Case No. 20-M-310 (SCD)

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 31, 2020-June 7, 2020 in the county of Milwaukee in the  
Eastern District of Wisconsin, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 39A	Aiming a laser pointer at an aircraft

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.


Complainant's signature

David Kowalski, FBI SA

Printed name and title

Sworn via telephone; transmitted via email  
pursuant to Fed. R. Crim. 4.1Date: 06/08/2020City and state: Milwaukee, Wisconsin


Judge's signature

Honorable Stephen C. Dries

Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT**

I, David Kowalski, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit for the limited purpose of establishing probable cause for the issuance of a criminal complaint and arrest warrant charging defendant Jeremiah Belen (DOB: XX/XX/1981) with violations of aiming a laser pointer at an aircraft, in violation of Title 18, United States Code, Section 39A.

2. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been so employed since April 2009. Since August 2018, I have been assigned to the Milwaukee FBI Violent Crime Task Force. I have participated in numerous complex narcotics, money laundering, violent crime, armed bank robbery, and armed commercial robbery investigations in violation of Title 21, United States Code, Sections 841(a)(1), 843(b) and 846, and Title 18, United States Code, Sections 924(c), 1951, 1956, 1957, 2113, and other related offenses. I have employed a wide variety of investigative techniques in these and other investigations, including but not limited to, the use of informants, wiretaps, cooperating defendants, recorded communications, search warrants, surveillance, interrogations, public records, DNA collection, and traffic stops. I have also received formal training regarding the same.

3. The facts in this affidavit come from my personal observations, training, experience, and/or information obtained from other law enforcement officers and/or witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. Based on the facts set forth in this affidavit, there is probable cause to believe that between on or about May 31, 2020, through June 7, 2020, in the State and Eastern District of

Wisconsin and in the special aircraft jurisdiction of the United States, Jeremiah Belen (DOB XX/XX/1981) has committed violations of Title 18, United States Code, Section 39A (Aiming a laser pointer at an aircraft).

### **PROBABLE CAUSE**

5. The probable cause for this warrant comes from suspected violations of 18 U.S.C. § 39A, which reads, in part:

(a) Offense. —

Whoever knowingly aims the beam of a laser pointer at an aircraft in the special aircraft jurisdiction of the United States, or at the flight path of such an aircraft, shall be fined under this title or imprisoned not more than 5 years, or both.

(b) Laser Pointer Defined. —

As used in this section, the term “laser pointer” means any device designed or used to amplify electromagnetic radiation by stimulated emission that emits a beam designed to be used by the operator as a pointer or highlighter to indicate, mark, or identify a specific position, place, item, or object.

6. On the evening of May 31, 2020, FBI SA Brian Blake was operating an FBI aircraft over Milwaukee, Wisconsin, in the special aircraft jurisdiction of the United States. Investigative Support Specialist (ISS) Brandon Cramin was also aboard the aircraft serving as the Optical Sensor Operator. During that flight, SA Blake and ISS Cramin observed a green laser targeting their aircraft from the ground in the vicinity of latitude/longitude: 43.0357.17, -87.5527.12. This area is approximately bordered by North Avenue, Burleigh Street, North 10th Street, and North 14th Street, all within the city of Milwaukee. Although ISS Cramin observed the laser, he was unable

to orient his forward-looking infrared (FLIR) camera system at the source of the laser before it disappeared.

7. In the late evening hours of June 3, 2020, and the early morning hours of June 4, 2020, SA Blake and ISS Cramin were operating the same FBI aircraft over Milwaukee, Wisconsin, when they again observed a green laser targeting them. ISS Cramin maneuvered the FLIR camera to capture the origin of the laser. Using this system, both ISS Cramin and SA Blake were able to observe the laser originating from one of three individuals located on the lower porch of a residence located on the northwest corner of N 1<sup>st</sup> Street and W. Chambers Street, in the city of Milwaukee. On June 6, 2020, law enforcement officers travelled to this intersection during daylight hours and compared the footage obtained from the FLIR camera with the actual residence located there and confirmed they were consistent in appearance with one another. The residence at this location, which matched the FLIR footage, had the address of 3001 N. 1<sup>st</sup> Street, Milwaukee, Wisconsin.

8. In the evening hours of June 4, 2020, SA Blake and ISS Cramin were operating the same FBI aircraft over Milwaukee, Wisconsin, when they again observed a green laser targeting them. SA Blake and ISS Cramin were not able to determine the coordinates of the source of this laser, but they observed that it was being emitted in the general vicinity of protests taking place at North 76<sup>th</sup> Street and West Center Street.

9. When asked to describe how the laser affected the aircraft and its occupants, ISS Cramin stated there were two types of incidents in which the plane was targeted by the laser. In some instances, the laser would hit the wing of the plane and only a green dot would appear. In other instances, the laser would hit the windshield of the plane and illuminate the cockpit. ISS Cramin explained that the laser had the potential to blind or cause loss of night vision to either himself or pilot SA Blake.

10. SA Blake separately communicated that the lasers which had been directed at the aircraft had the potentially to create a deadly situation since it interfered with his ability to see his instrumentation. On June 5, 2020, SA Blake and ISS Cramin began wearing specialized goggles during flight. These goggles were designed to minimize the effects of a laser being shone in cockpit and in the pilot's eyes.

11. On June 1, June 3, and June 4, 2020, Wisconsin National Guard (WNG) pilot Chief Warrant Officer (CWO) Lucas Marks, was flying a WNG UH-60 Blackhawk helicopter over Milwaukee, Wisconsin, in the special aircraft jurisdiction of the United States. During each of these flights, CWO Marks' aircraft was targeted multiple times by a green laser originating from the area to the East-southeast of the Milwaukee Police Department (MPD) District 5 building, which is located at 2920 Vel R. Phillips Avenue in Milwaukee. The residence located at 3001 N. 1<sup>st</sup> Street, Milwaukee, WI is approximately 0.4 miles to the East-northeast of the MPD District 5 building.

12. When asked to describe how the laser affected the aircraft and occupants, CWO Marks stated it is "definitely not good" when the helicopter is hit by a laser. CWO Marks noted that targeting aircraft with a laser had the potential to cause an incident, as it can be blinding. Whenever CWO Marks' helicopter was hit with the laser in these recent evenings, CWO Marks was forced to look away and maneuver the aircraft into a new position. According to CWO Marks, the laser altered, but not stopped, the mission of the Wisconsin National Guard.

13. On the evening of June 7, 2020, law enforcement on the ground observed two separate vehicles parked near 3001 N. 1<sup>st</sup> Street bearing the following Wisconsin license plates: 522YRB (which lists to a 2010 Mercury Milan); and ADR4012 (which lists to a red 2002 Audi

A6). Both vehicles are registered to Jeremiah Belen (Belen) at 3001 N. 1<sup>st</sup> Street, Milwaukee, Wisconsin. The Mercury Milan is registered to both Belen and Marysol Belen.

14. Also on the evening of June 7, 2020, SA Blake and ISS Cramin were operating the same FBI aircraft over Milwaukee, when they again observed a green laser targeting them. ISS Cramin maneuvered the FLIR camera to capture the origin of the laser. Using this system, both ISS Cramin and SA Blake were able to observe the laser emitting from one of two individuals located on the lower porch of the residence located at 3001 N. 1<sup>st</sup> Street, Milwaukee. Law enforcement officers on the ground travelled to this address and subsequently observed an unidentified white female and a male matching the description of Jeremiah Belen, who were both, at separate times, seen pointing a handheld object toward the sky. At this time, both vehicles registered to Belen were still parked near the residence. Law enforcement officers, using a night vision camera, captured the unidentified female in the photograph below:



15. Just before midnight on June 7, 2020, law enforcement officers observed the unidentified female and Belen enter the residence located at 3001 N. 1<sup>st</sup> Street, Milwaukee, through the door located on the lower porch deck.

### **CONCLUSION**

16. Based on the information and facts above, I submit that there is probable cause to believe that Jeremiah Belen has violated Title 18, United States Code, Section 39A, in the State and Eastern District of Wisconsin and the special aircraft jurisdiction of the United States.